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PART III—Section I

NOTIFICATIONS BY GOVERNMENT

CHIEF SECRETARIAT

Dated 22nd July 1954.

No. Ch. S. 5909—Pal. 7-54-1. In honour of the birth of the third Princess to His Highness Sri Jaya Chamarajendra Wadiyar Bahadur, G.C.B., G.C.S.I., on the 15th July 1954, Monday the 26th July 1954, is declared as a Public Holiday in Mysore City for all Courts, Public Offices, Educational and other Institutions on account of 'Namakarana Mahotsava' of the Princess.

By Order and in the name of the Rajpramukh,

N. PUTTARANGASWAMY,
Chief Secretary to Government.

3395

REVENUE SECRETARIAT

Dated 22nd July 1954.

No. R. 5546—R.M. 4-54-2. Under Rule 2 of the Rules issued in Government Order No. R. 14-25-L.R. 149-24-74, dated 3rd October 1925, as amended by Government Order No. R. 4229-40 L.R.—489-26-4, dated 1st December 1927, tract consisting of the S.Nos. 88—1, 88—2, 104 forming the atchkat under a private tank in Gorasamavu Village in Pavagada Taluk is declared entitled to remission of one half of the wet assessment during the years 1943-44 to 1946-47 (both inclusive).

By Order,

K. THIPPERUDRIAH,
Secretary to Government,
Revenue Department.

3396

FINANCIAL SECRETARIAT

Dated 6th July 1954.

No. Fl. (B.) 4961—C.R. 1-54-16. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely,—

In the said Regulations, the following shall be added as Note 6 under Article 350, namely,—

"NOTE 6: The Chief Engineer of Mysore is empowed to lend the services of non-gazetted staff of the Public Works Department to Local Bodies and on other Foreign Service subject to the recovery of leave and pensionary contribution at rates prescribed in the Article, and to withdraw the staff without specific sanction of Government in each case."

The above provision shall be deemed to have come into force with effect from 1st June 1954.

By Order and in the name of the Rajpramukh,

2921

Dated 6th July 1954.

No. Fl. (B.) 4962—C. R. 1-54-15. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely,—

In the said Regulations, the following shall be added as Note 2 under Article 305 (b), treating the existing Note as Note 1, namely,—

"NOTE 2: Personal pay under Article 35 (a) will count as emoluments for pension as a matter of course, whereas that under Article 35 (b) shall count only when it is so decided in individual cases on merits by the authority sanctioning the allowance, at the time of sanction, but not otherwise."

By Order and in the name of the Rajpramukh,

229

Dated 6th July 1954.

No. Fl.(B.) 4964—C.R. 1-54-14. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendment to the Mysore Services Regulations, namely,—

In the said Regulations, in Appendix 'H', after the existing serial No. 46, the following serial Number and words shall be added, namely,—

"47 (1) The Chief Inspector of Factories in Mysore.
(2) The Chief Inspector of Boilers in Mysore."

By Order and in the name of the Rajpramukh

2923

Dated 12th July 1954.

No. Fl. (B) 5140—C.R. 1-54-18. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely,—

In the said Regulations, the following shall be added as Article 214B under the heading "Special Disability Leave", namely :—

"214B. SPECIAL DISABILITY LEAVE.

Section I.

(1) Subject to the conditions hereinafter specified, Government may grant special disability leave to a Government servant who is disabled by injury intentionally inflicted or caused in, or in the consequence of, the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifests itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the Government, if they are satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by a Medical Board to be necessary. It shall not be extended except on the certificate of a Medical Board, and shall in no case exceed 24 months.

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than twenty-four months of such leave shall be granted in consequence of any one disability.

(6) Special disability leave will count as duty in calculating service for pension but it will not count as service for leave. It will not be regarded as interrupting service for leave under the ordinary rules, nor as diminishing the amount of such leave at the Government servants' credit nor as part of the maximum leave admissible to him, except that leave on average salary taken under clause 7 (b) will be reckoned as furlough on half average salary against the total amount of furlough prescribed in Article 203 and as furlough on average salary against the total period of such furlough prescribed in Article 207 (i).

(7) Leave allowances during such leave shall, subject to the maxima prescribed in Article 209, be equal :—

(*a*) for the first three months of any period of such leave, including a period of such leave granted under clause (5) of this Article to average salary ; and

(*b*) for the remaining period of any such leave to half average salary, or at the Government servants' option, for a period not exceeding three months furlough on average salary either by itself or in combination with privilege leave which would otherwise be admissible to him to average salary.

(8) In the case of a person to whom the Workmen's Compensation Act applies, the amount of leave allowance payable under this Article shall be reduced by the amount of compensation payable under that Act.

Section II.

Government may extend the application of the provisions of Section I to a Government servant who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the Civil post which he holds. The grant of this concession is subject to the further conditions :—

(*a*) that the disability, if due to disease, must be certified by a Medical Board to be directly due to the performance of the particular duty, and

(*b*) that if the Government servant has contracted such disability during service otherwise than with a Military force, it must be in the opinion of Government so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of leave; and

(*c*) that the period of absence recommended by the Medical Board may be covered in part by leave under this rule and in part by other leave and that the amount of special disability leave granted on average pay may be less than three months."

By Order and in the name of the Rajpramukh,

3104

dated 14th July 1954.

No. Fl. (B). 5241—C.R. 1-54-20. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely :—

In the said Regulations, the following shall be added as Note 2: treating the existing Note as Note 1 under Article 80, namely,—

"Note 2: The power to make provisionally permanent arrangements and to order suspension of lien is delegated to Heads of Departments specified in Appendix 'H', in the case of non-gazetted Government servants only".

By Order and in the name of the Rajpramukh,

3246

Dated 14th July 1954.

No. Fl. (B) 5239—C.R. 1-54-19. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendment to the Mysore Services Regulations, namely:—

In the said Regulations, in Appendix 'F' the following shall be added as serial number 64, namely:—

"64. Special Officer, Rural Industrialisation Scheme Bangalore".

By Order and in the name of the Rajpramukh,

3245

dated 14th July 1954.

No. Fl. (B)5237—C.R. 1-54-17. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely,—

In the said Regulations, in Appendix 'H', the following shall be added as serial number 48, namely,—

"48. Special Officer, Rural Industrialisation Scheme, Bangalore".

By Order and in the name of the Rajpramukh,

3244

Dated 20th July 1954.

No. Fl. (B) 5437—C.R. 1-54-23. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely,—

In the said Regulations, in Article 305, after clause (f), the following clause shall be added, namely,—

"(g) Officiating pay drawn by a Government Servant holding a substantive appointment in a lower grade while holding a post in a higher grade in temporary or officiating capacity, provided the Government Servant continuously held the post in the higher grade for not less than two complete years immediately before his retirement.

Explanation :—(1) For purposes of computing the period of two years under this clause, leave of all kinds taken by the Government Servant during the said period shall be included in the period of two years, provided it is certified that he would have continued to hold *the post* in the higher grade if he had not proceeded on leave.

(2) If the Government Servant is confirmed in the post in the higher grade during the period of two years, the period of two years, for purpose of this clause, shall be reckoned including the period in which he held that post after such confirmation.

(3) It is not necessary that the Government Servant should hold the same post in the higher grade continuously for not less than two years ; the officiating pay drawn by him in any post in the higher grade continuously for not less than two years will be included in his emoluments."

By Order and in the name of the Rajpramukh,

3406

Dated 20th July 1954.

No. Fl. (B) 5443—C. R. 1-54-22. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Services Regulations, namely :—

In the said Regulations, the following shall be added as Note under Article 427, namely,—

"NOTE: Government may require or permit foreign nationals of non-Indian domicile in the permanent employ of the State to retire prematurely from the service of the State with the benefits of service admissible to a Government Servant who is granted compensation pension under the provisions of Articles 268 to 278."

The above provision shall be deemed to have come into force with effect from 1st July 1953.

By Order and in the name of the Rajpramukh,

3407

Dated 22nd July 1954.

No.Fl. (B) 5534—C.R. 1-54-24. In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, the Rajpramukh of